



September 3, 2003

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: WO 0129750 Auction Redemption System and Method

US File # 09422114

Sirs:

Recently I found the above referenced patent filing in the European Patent Office and believe this patent has NOT issued in the U.S. The US File # is 09422114.

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length a point incentive and loyalty system based on numerous ways points can be earned and then used in an auction environment to bid on goods even describing the points as an alternate currency.

I am objecting to this "business method" filing as I don't believe there is anything unique or novel about the described system and method. I make this objection based upon two clear and similar examples:

1. During the mid nineties, several "dotcom" firms attempted to establish an "internet currency." Specifically, Beenz, Flooz, CyberCash and others awarded points for various consumer activities such as viewing ads, participating in a questionnaire or other activities their sponsors/clients were willing to award. Another enterprise, NetZero offered free internet access simply for viewing ads on their site. There's nothing new about awarding incentive points, dollars or other remuneration for active participation at a web site.
2. For many years, people have attended charitable "Monte Carlo/Vegas Night" fund raisers. At those events people have the opportunity to win "funny money" (points) at mock games of chance and then use those points to bid on items in a charity auction for items donated by generous benefactors. The Kiwanis Clubs use this technique frequently and many references are found for this method of fund raising on the internet.

Therefore, other than possibly moving the second example above on to the internet, there is really nothing added to previous "alternate currency" systems in use long before the internet existed. The filers neither invented online auctions (see MercExchange vs. eBay) or points used in auctions as currency.

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I have included a few screen shots found simply by searching for keywords, "monte carlo' auction charity fund". Documentation of offline incentive programs related to auctions is not difficult to find.

Exhibit 1 is a screen shot from anum.org ... See B.1.a

Exhibit 2 is a screen shot from Yorkshire Entertainment and is an example of an event planner offering services to conduct a Casino Night using "fun money."

Exhibit 3 is a screen shot from ecommerceetimes.com providing a history of now defunct dot.coms offering "internet currency" systems and establishing dates of launch.

Since this patent filing has not been published in the U.S. ... I don't know who the inventors' legal representation is ... therefore, I am enclosing two copies of this protest to your office.

I believe the Examiner should look very closely at the Claims made and judge accordingly.



http://www.amun.org/amun_fundraising.html

Cannot find server - Microsoft Internet Explorer

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NOTE ABOUT SALES: Never pre-purchase the goods you are selling, or you risk taking a big loss. Have someone else come in and do the sale you are sponsoring, obtain items for sale on consignment, or obtain samples of the items you will sell and take orders to be filled.

B. What "More-Involved" Fund Raisers Could Our Club Sponsor?

1. THEME PARTIES.

a. Casino Night - purchase or rent Las Vegas style equipment, or find a private company which you can hire to present your party for you. Charge admission. Many groups which sponsor casino nights hold some kind of a raffle or auction at the end of the party so people can use their "play money" to buy donated items.

NOTE: Check your state and local laws before sponsoring any party that could involve gambling. Most states allow some form of gambling for non-profit organizations (e.g., schools and school clubs) but laws differ from area to area.

b. Luau/Hawaiian Party - obtain Hawaiian-style decorations and food. Make mai tais, and serve a Polynesian dinner. Charge admission and sell tickets in advance.

c. Halloween Costume Party

d. Mardi Gras Party

e. St. Patrick's Day Party - obtain St. Patrick's Day decorations, and serve a traditional Irish meal, along with green beer, Irish Coffee, Irish Whiskey, and/or green punch.

f. Dances and Balls - sponsor an "International Costume Dance" or Ball. Charge admission.

g. Used Book Sale - sell used books at the beginning of the year, take a percentage (e.g., 10%) for the club; the balance of the money would be paid to the students who donate the used books.

h. School Directory - if your school or student government does not put together a school directory, check with your records office and obtain names of all students as they register at the first of the year and compile those names into a directory. Locate a person or business to type and/or typeset the names, and find a printer to print the directories. Seek advertising from local merchants to defray or pay for all costs.

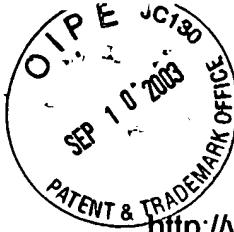
Profit comes from either charging each student for copy, or charging advertisers a sufficient amount so that you can make your

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<http://www.yorkshireentertainment.co.uk/mainpages/mainframeset.htm>

live music band wedding yorkshire entertainment party group groups bands weddings musicians uk - Microsoft Internet Explorer

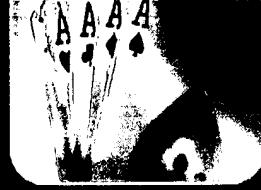
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Yorkshire Entertainment

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No other theme can capture the imagination of your guests quite like this one. It's their chance of a lifetime to play all the casino games, be taught by professional dealers and not lose a penny. Many event organisers tag themes onto their casino event, for example a American Wild West Casino, Hollywood Casino, Cruise Ship Casino, Gangster Casino or of course a Wedding Casino.

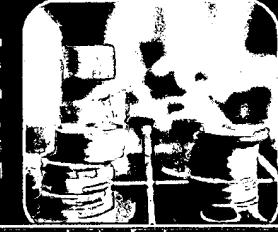
Here's how it works: Your guests play with 'Fun Money'. This is taken to a casino table of their choice, and exchanged for casino chips. The casino chips are then used to place bets on the tables. The player(s) with the most chips at the end are the winners and a prize (or prizes), provided by you, may be presented to them at the end of play.



For charity fundraising events, guests may purchase their fun money for cash, with all proceeds going to the charity concerned. A Gaming Licence is not required as long as guests do not bet on the tables with real money, although prizes can be given. You could also consider charging an entrance fee and ask local companies & organisations to sponsor a table or donate a prize for the winning gamblers.



Casinos are the perfect compliment to a wedding party. They can be the main focus for the evening celebration or used after the speeches and before the dancing. If the room is to be re-set for the evening party, to make the transition an easy one, you could hire a casino and play the games in an adjoining room, giving your guests an exciting thing to do at this time. Any 'evening only' guests can also play if they arrive early or proceedings are delayed. In fact a casino will add that extra touch of sophistication to any function.



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<http://www.ecommercetimes.com/perl/story/12892.htm>

1 E Commerce News: Beenz.com Closes Internet Currency Business Microsoft Internet Explorer

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Online currency provider [Beenz.com](#) announced late Thursday that its currency would be invalid as of August 26th. The company's collapse comes just one week after rival e-currency site [Flooz.com](#) suspended its operations.

Unlike Flooz, which closed abruptly, Beenz is giving its customers a 10-day notice. The Beenz.com home page says that any beenz remaining in a member's account after 12:01 am (EST) on August 26th will be invalidated and the member will not be entitled to any compensation of the invalidated beenz.

Published reports said that Beenz.com, originally founded in 1998, will close offices in Europe and Asia, but will keep its New York offices open in order to manage the sale of its assets.

Reports also stated that the company is not out of money, but is curtailing expenditures in order to bring some value to shareholders.

Coin of Realm?

Beenz.com allowed consumers to earn beenz for performing activities such as visiting a Web site , shopping online, or logging on through an Internet service provider. The beenz e-currency could then be spent online with participating Web merchants around the world.

Forrester analyst James Crawford pointed to both Beenz' and Flooz' lack of scope as the main driver of the companies' downfalls.

"In order for any payment system -- online or not -- to work, it has to meet two 'critical mass' criteria," Crawford told the E-Commerce Times. "There has to be a critical mass of places to use it -- usability -- and there has to be a critical mass of ways to obtain it -- availability. I don't think Beenz or Flooz achieved either."

Cards are King

A common argument against alternative Internet currency is that credit cards are a superior payment option for online shoppers, due largely to

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